

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF PENNSYLVANIA**

RAYMOND BALESTRA, Individually and  
on Behalf of All Others Similarly Situated,

Plaintiff,

V.

MGT CAPITAL INVESTMENTS, INC., and  
ROBERT B. LADD,

## Defendants

C.A. No. 2:18-cv-00804-LPL

Hon. Chief Judge Mark. R. Hornak

CLASS ACTION

**NOTICE OF PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION  
SETTLEMENT AND APPROVAL OF PLAN OF ALLOCATION**

PLEASE TAKE NOTICE, that Court-appointed Lead Plaintiff John Oum and named Plaintiff Raymond Balestra (together, “Plaintiffs”), on behalf of themselves and all other members of the proposed Settlement Class, through their counsel, will move this Court on July 26, 2022 at 9:30 a.m., before the Honorable Chief Judge Hornak, pursuant to Rule 23 of the Federal Rules of Civil Procedure, for an entry of a Final Order and Judgment approval the proposed Settlement as fair, reasonable, and adequate, and for entry of an Order approving the proposed Plan of Allocation for the proceeds of the Settlement as fair, reasonable, and adequate.

PLEASE TAKE FURTHER NOTICE that in support of this motion, Plaintiffs submit and are filing herewith (i) the Memorandum of Law in Support of Plaintiffs’ Motion for Final Approval of Class Action Settlement and Approval of Plan of Allocation, dated June 24, 2022; (ii) the Declaration of Donald J. Enright in Support of (I) Plaintiffs’ Motion for Final Approval of Class Action Settlement and Plan of Allocation and (II) Plaintiffs’ Motion for an Award of Attorneys’ Fees and Payment of Litigation Expenses, dated June 24, 2022, with annexed exhibits; (iii) the Declaration of Alfred G. Yates, Jr. on Behalf of Law Office of Alfred G. Yates, Jr., P.C. in Support of Application for an Award of Attorneys’ Fees and Expenses, dated June 16, 2022; (iv) Declaration of Margery Craig Concerning: (A) Emailing the Summary Notice; (B) Publication of the Summary Notice; and (C) Report on Requests for Exclusion and Objections, dated June 24, 2022; and (v) Declaration of Donald J. Enright on Behalf of Levi & Korsinsky, LLP in Support of Application for an Award of Attorneys’ Fees and Expenses, dated June 24, 2022.

A Proposed Order for Final Judgment was submitted with Plaintiffs’ motion for preliminary approval of settlement, filed January 28, 2022. *See* Dkt No. 55-1 at 81.

Dated: June 24, 2022

/s/ Alfred G. Yates

Alfred G. Yates, Jr. (PA 17419)

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